

Borough of Rocky Hill
Planning Board
Regular Meeting
September 17, 2015

Planning Board Chair Michael Goldman called the Regular Meeting of the Planning Board to order at 7:30 pm.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Chair Goldman read the following statement into the record: This meeting is called pursuant to the provisions of the Open Public Meetings Act. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 21, 2015. Notice remains continuously posted as required under the Statute. A copy of this notice is available to the public and is on file in the Borough Hall.

ROLL CALL

Present: Robert Ayrey, Irene Battaglia, Mark Blasch, Tim Corlis, Linda Goldman, Michael Goldman, Connie Hallman, Dan Kluchinski, Brian Nolan

Absent: Michael Giambra, Raymond Whitlock and Mayor Jeff Donahue

Also present: Attorney Jolanta Maziarz, Planner Tamara Lee and Recording Secretary Christine Witt

CHAIRMAN'S COMMENTS

None

APPROVAL OF MINUTES

Regular Meeting Minutes August 20, 2015 - Motion made by L. Goldman to approve the minutes as presented. Motion seconded by Kluchinski. Motion carried on roll call vote.

For: Battaglia, Blasch, Corlis, L. Goldman, Kluchinski, M. Goldman

Against: None

Abstain: Ayrey, Hallman, Nolan

Executive Session Minutes August 20, 2015 - Motion made by Kluchinski to approve the minutes as presented. Motion seconded by Corlis. Motion carried on roll call vote.

For: Battaglia, Blasch, Corlis, L. Goldman, Kluchinski, M. Goldman

Against: None

Abstain: Ayrey, Hallman, Nolan

OPEN PUBLIC COMMENT

The floor was open to public comment, hearing none the floor was closed.

APPLICATIONS

Preservation Plan: 38 Washington Street, Antoine and Gaud Yver

Chair Goldman ascertained from the Zoning Officer, Mr. Blasch, that the application was not deemed complete prior to the meeting. Mr. Blasch thereupon deemed the application complete as a Minor Preservation Plan, and the application was heard by the Board.

Jared Witt, the attorney for the applicants, described the application and explained why it was filed as a minor preservation plan. The scope of the planned project is to disassemble the existing barn, which the applicant says is unsafe, and rebuild it using existing materials when feasible and otherwise use materials consistent in appearance to the original materials. Mr. Witt argued that the difference to the property is minor, and that the planned work fits the description of a minor application in the ordinance.

Chair Goldman responded that although the ultimate plan is to relocate the barn, this will require the barn to be demolished, and an application for demolition requires a major preservation plan application. The distinction between a major and minor preservation plan is that a major plan requires public notice, and because the barn is visible from Lemoore Circle, the public should have an opportunity to comment.

Mr. Witt argued further that the barn is currently structurally unstable and unsafe, and that as a practical matter, any harm done will be rectified in the application for a major subdivision which the owners plan to file.

Chair Goldman replied that the application currently before the Board is for demolition, and although the narrative in the application says that the barn will be rebuilt, that will require a separate application.

Ms. Goldman pointed out that demolition is a sensitive topic to residents, and the community has demanded that notice be part of a demolition application.

The Board discussed whether the application should be filed as a minor or a major application and the consensus was that the application should be for a major historic preservation plan with notice given to neighbors.

No action was taken on the application for a minor preservation plan. Chair Goldman advised the applicant to amend the application and re-file as a major historic preservation plan.

L. Goldman moved to carry the application until the October meeting subject to the applicant providing everything required by a major historic preservation application.

Ayrey seconded the motion, and motion carried on roll call vote.

For: Ayrey, Battaglia, Blasch, Corlis, L. Goldman, Hallman, Kluchinski, Nolan, M. Goldman

Against: None

Abstain: None

UNFINISHED BUSINESS

None

NEW BUSINESS

None

CORRESPONDENCE

Letter from Dave Dorey regarding combining contiguous lots.

Mr. Dorey sent a letter to the Planning Board requesting that Tax Assessor be instructed to combine all contiguous nonconforming lots into a single lot. Several residents own two contiguous lots and receive separate tax bills for each lot. This issue effects the Borough's affordable housing litigation because these second lots have been counted as vacant land. Attorney Maziarz recommended that this matter be brought to the Council as the Tax Assessor works for the Council not the Planning Board.

FINAL OPEN PUBLIC COMMENT

The floor was open to public comment, hearing none the floor was closed.

EXECUTIVE SESSION

Resolution 2015-11 to Retire into Executive Session (8:21 PM)

Potential litigation - In re the Borough of Rocky Hill 2015 Affordable Housing Declaratory Judgment Action

Nolan moved to retire into executive session, Ayrey seconded, and motion carried on roll call vote.

For: Ayrey, Battaglia, Blasch, Corlis, L. Goldman, Hallman, Kluchinski, Nolan, M. Goldman

Against: None

Abstain: None

Executive Session ended and Regular Session resumed at 8:51 PM

ADJOURNMENT

Nolan moved to adjourn at 8:81 PM. Motion seconded by L. Goldman. Motion carried on voice vote.

Respectfully Submitted:

Christine Witt

Recording Secretary